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IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BARBARA A. WILHELM,  
Plaintiff

v.

COMMONWEALTH OF PA.;  
PENNSYLVANIA STATE POLICE;  
COLONEL PAUL J. EVANKO,  
COMMISSIONER; LIEUTENANT  
COLONEL THOMAS K. COURY; and  
CAPTAIN MICHAEL. D. SIMMERS,  
Defendants

NO. 1:CV-01-1057

(JUDGE RAMBO)

FILED  
HARRISBURG  
APR 15 2002  
MARY E. D'ANDREA, CLERK  
Deputy Clerk

PLAINTIFF'S MOTION FOR SUMMARY JUDGEMENT

AND NOW, comes the Plaintiff, Barbara Wilhelm, by and through her attorney,  
Nathan C. Pringle, Jr., who respectfully moves for Summary Judgment pursuant to  
Federal Rule of Civil Procedure 56, and avers as follows:

1. Ms. Wilhelm was required to perform clerical duties in the nature  
of filing and typing for other staff throughout her tenure with the Legislative Affairs  
Office.
2. No men within the Legislative Affairs Office were required to perform such  
duties.

3. On May 1, 2000, Ms. Wilhelm was given a letter drafted and signed by Linda Bonney, Director of Personnel, dismissing Ms. Wilhelm due to a reorganization of the Legislative Affairs Office.
4. Captain Miller, the new Director of the Legislative Affairs Office, and Colonel Paul Evanko, Pennsylvania State Police Commissioner, denied making a decision to reorganize the Legislative Affairs Office.
5. No male employee was dismissed due to reorganization without a decision to reorganize an office.
6. Rose Polek was identified by Ms. Bonney as the expert on personnel transactions.
7. According to Ms. Polek, the code used to describe the personnel transaction terminating Ms. Wilhelm was "02200", which indicated that Ms. Wilhelm was dismissed for an unspecified reason.
8. Ms. Polek stated that Ms. Wilhelm's termination was improperly treated and coded as a dismissal for unspecified reasons.
9. Ms. Polek stated that Ms. Wilhelm was not dismissed, but was "furloughed" as that term is defined by the Commonwealth of Pennsylvania's Personnel Rules.
10. Ms. Wilhelm's improperly coded personnel history can be accessed by other Commonwealth of Pennsylvania agency personnel managers who are responsible for hiring.
11. Ms. Polek stated that if Ms. Wilhelm's personnel history is viewed by personnel

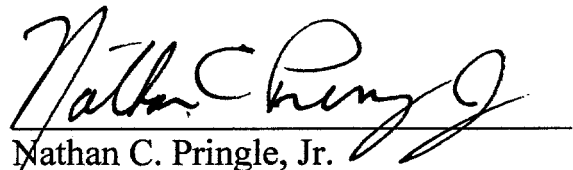
managers responsible for hiring, Ms. Wilhelm would be viewed less favorably than she would have been had the code for a furlough been assigned.

12. As a result Ms. Wilhelm's employment opportunities with the Commonwealth of Pennsylvania are adversely affected.

13. No male employee's personnel history was improperly identified with an adverse designation.

WHEREFORE, the Plaintiff urges this Honorable Court to grant her Motion for Summary Judgment and find the Defendant Pennsylvania State Police liable for violations of Title VII of the Civil rights Act of 1964, as amended 42 U.S.C. § 2000 *et seq.* and the Pennsylvania Human Relations Act 43 Pa. C. S. § 955 .

Respectfully Submitted,



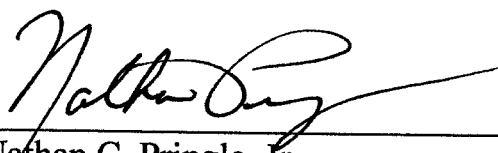
Nathan C. Pringle, Jr.  
Attorney I. D. Number 30142  
3601 North Progress Avenue  
Suite 200  
Harrisburg, PA 17110  
(717) 909-8520  
Attorney for Plaintiff

April 15, 2002

**CERTIFICATE OF SERVICE**

I, Nathan C. Pringle, Jr., hereby certify that on April 15, 2002, I caused to be hand-served a copy of the foregoing document entitled Plaintiff's Motion for Summary Judgement, upon the following:

Susan J. Forney  
Chief Deputy Attorney General  
Office of Attorney General  
Litigation Section  
15<sup>th</sup> Floor, Strawberry Square  
Harrisburg, PA 17120

  
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Nathan C. Pringle, Jr.